

Serial Number 1952/97



THE HOSPITAL EMPLOYMENT (SECRETARIAL AND CLERICAL OFFICERS) REGULATIONS 1952

FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 7th day of
May 1952

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Hospitals Act 1926, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Hospital Employment (Secretarial and Clerical Officers) Regulations 1952, and shall be read together with and deemed part of the Hospital Employment Regulations 1952* (hereinafter referred to as the principal regulations).

(2) For the purposes of regulation 4 of the principal regulations, these regulations shall be deemed to form a Part of the principal regulations.

Commencement

2. (1) Except where these regulations otherwise provide, such of the provisions of these regulations as have the effect of increasing the rates of salaries, wages, and other emoluments and increments payable in respect of the classes of persons whose positions are specified in these regulations shall be deemed to have come into force on the 1st day of July 1951.

(2) Except as provided in the last preceding subclause, these regulations shall come into force on the day after the date of their notification in the *Gazette*.

Interpretation

3. In these regulations, unless the context otherwise requires,—
“Grading Committee” means the Secretarial and Clerical Officers’ Salaries Grading Committee constituted under regulation 5 of these regulations :

* Statutory Regulations 1952, Serial number 1952/86, page 352.

“ Secretarial or clerical officer ” means an employee of a Board who is engaged entirely or mainly in work of a secretarial, clerical, or accounting nature ; and includes a secretary, treasurer, accountant, house manager, stores officer, shorthand typist, and such other employee as the Minister may designate :

“ Secretary ” means the Secretary to a Board appointed by the Board in accordance with the Hospitals Act 1926 :

“ Whole time ”, when applied to a secretarial or clerical officer of a Board, means that that person devotes the whole of his working time to the duties of his position, save that he shall not be excluded from the definition of a whole time employee by reason only of the fact that, with the approval of the Board and the concurrence of the Minister, he undertakes other work of a minor nature outside those duties.

Scales of Salaries for Whole Time Secretarial or Clerical Officers

4. (1) Subject to the provisions of regulations 5 and 6 hereof, a whole time secretarial or clerical officer shall receive a yearly rate of salary according to the scale of salary from time to time determined in each case by the Grading Committee, with the approval of the Minister, that scale being one of the eighteen following :—

		Yearly Rate of Salary.		
		Minimum.	Maximum.	Increments.
		£	£	£
(a)	1,760	1,960	50
(b)	1,660	1,810	50
(c)	1,560	1,710	50
(d)	1,460	1,610	50
(e)	1,360	1,510	50
(f)	1,260	1,410	50
(g)	1,150	1,310	57½, 52½, 50
(h)	1,035	1,207½	57½
(i)	920	1,092½	57½
(j)	805	977½	57½
(k)	776¼	833¾	28¾
(l)	690	747½	28¾
(m)	603¾	661¼	28¾
(n)	546¼	575	28¾
(o)	488¾	517½	28¾
(p)	431¼	488¾	28¾
(q)	402½	431¼	28¾
(r)	345	402½	28¾

} Subject to the provisions of subclause (2) of this regulation.

(2) Where the salary scale of a whole time secretarial or clerical officer, as determined by the Grading Committee and approved by the Minister before the date on which these regulations are notified in the *Gazette*, corresponds with one of the scales prescribed in paragraphs (i) and (j) of subclause (1) of this regulation, and that first mentioned salary scale provides for one or more increments on specified dates after the 30th day of June 1951, the amount of every such increment and the date on which it is payable shall be as re-determined by the Grading Committee with the approval of the Minister :

Provided that the salary payable at any time in accordance with that re-determination shall not be less than was payable at that time in accordance with the original determination :

Provided also that no increments so re-determined shall exceed £50.

Secretarial and Clerical Officers' Salaries Grading Committee

5. (1) In addition to any advisory committee appointed under the Hospital Board Employees (Conditions of Employment) Regulations 1947,* the Minister may establish a Secretarial and Clerical Officers' Salaries Grading Committee, whose function it shall be to make determinations with respect to the salaries and other matters which it is expressly provided by these regulations shall be so determined.

(2) The Grading Committee shall consist of—

(a) The Director-General, who shall be Chairman of the Committee :

(b) One other officer of the Department of Health, to be appointed by the Minister :

(c) Two persons being members of Hospital Boards, to be appointed by the Minister :

(d) Two other persons, not being secretarial or clerical officers employed by Hospital Boards, to be appointed by the Minister after consultation with the executive committee of the New Zealand Hospital Officers' Association (Incorporated).

(3) The appointed members of the Grading Committee shall hold office at the pleasure of the Minister.

(4) Meetings of the Grading Committee shall be held at such times and places as the Chairman from time to time appoints.

(5) At every meeting of the Grading Committee the Chairman, if present, shall preside. If the Chairman is absent from any meeting, the officer of the Department of Health authorized to attend the meeting in his stead pursuant to the next succeeding subclause shall act as his deputy and shall have and may exercise the powers and duties of the Chairman for the purpose of the meeting.

(6) In the absence from any meeting of the Grading Committee of the Director-General of Health he may appoint an officer of the Department of Health to attend the meeting in his stead. Where the person so appointed is not a member of the Grading Committee by virtue of his appointment in accordance with subclause (2) of this regulation, he shall while attending any meeting of the Committee pursuant to this subclause be deemed for all purposes to be a member of the Committee. The fact that any person so attends shall be sufficient evidence of his authority so to do.

(7) No business shall be transacted at any meeting unless the Chairman or his deputy and at least three other members are present during the whole time the business is transacted.

(8) Except with respect to a determination made under regulation 7 of these regulations, every determination of the Grading Committee shall be subject to prior application by the Director-General or the Board concerned.

(9) Every question before the Grading Committee shall be decided by the votes of the majority of members present. The Chairman of the meeting shall have a deliberative vote and, in the case of an equality of votes, shall also have a casting vote.

(10) At the request of any member who objects to any decision of the Grading Committee, the Chairman shall cause the objection to be recorded with the decision.

(11) It shall be the duty of the Chairman to notify the Minister of all determinations made by the Grading Committee and of every objection recorded on behalf of any member or members.

* Statutory Regulations 1947, Serial number 1947/69, page 252.

Amendment No. 1 : Statutory Regulations 1950, Serial number 1950/83, page 253.

Amendment No. 2 : Statutory Regulations 1950, Serial number 1950/89 page 271.

(12) Every determination of the Grading Committee under these regulations shall be subject to the approval of the Minister.

(13) Subject to the provisions of these regulations, the Grading Committee may regulate its own procedure as it thinks fit.

Determinations of Grading Committee

6. (1) The Grading Committee in making determinations as to the salary and other emoluments of a whole time secretarial or clerical officer shall have regard to the nature and relative importance of the duties and responsibilities of the position as well as to the qualifications, experience, status, and ability of the officer, and any such determination shall be effective only so long as the duties and responsibilities of the position remain substantially the same and the officer in respect of whom the determination was made continues to hold the position.

(2) The Grading Committee may, in any case where it considers special circumstances exist, fix a commencing salary for a whole time secretarial or clerical officer at any rate above the minimum rate of the scale of salary applicable to his position, and it may, in addition to or instead of fixing such a rate, fix a maximum salary at any rate below the maximum rate of the scale of salary applicable to the position.

(3) In making a determination for the purposes of these regulations, the Grading Committee shall specify the date from which the determination is to take effect. The first determination affecting a whole time secretarial or clerical officer employed by a Board on or after the 1st day of April 1950 may be made retrospective to a date not earlier than the said 1st day of April 1950, but, subject to this provision, no determination shall take effect earlier than one year before the date on which the determination is made.

Reconsideration of Determinations

7. (1) Where a whole time secretarial or clerical officer is dissatisfied with any determination made in respect of his grading by the Grading Committee and approved by the Minister in accordance with the provisions of these regulations, he may, within such time as is specified by the Director-General or within such extended time as the Director-General may in special circumstances allow, apply to the Committee through his employing Board to have the determination reconsidered by the Committee.

(2) The Grading Committee shall accordingly reconsider the determination and shall make a new determination either confirming or amending the original determination. If the new determination amends the original determination and is approved by the Minister, it shall be deemed to be in substitution for the original determination and, unless the Committee otherwise determines, to take effect on and from the date on which the original determination became operative.

(3) For the purposes of that reconsideration the whole time secretarial or clerical officer may appear and present his case or submit a written statement, and a member or officer of the employing Board may appear and make representations on behalf of the Board or the Board may submit a written statement.

(4) The Minister's decision on any determination made by the Grading Committee as a result of its reconsideration in accordance with this regulation shall be final.

Payment by Whole Time Secretarial or Clerical Officer Where Accommodation, &c., Provided

8. Where a whole time secretarial or clerical officer is provided at the cost of the Board with residential accommodation, board and lodging, fuel, lighting, and other domestic requisites and services, or any of them, the value thereof, ascertained as hereinafter provided, shall be paid by the officer by quarterly or more frequent payments as the Board may require, or shall be deducted from the payment of salary made in respect of the period during which that accommodation, board and lodging, fuel, or lighting, or those requisites or services are enjoyed or received by the officer.

9. For the purposes of regulation 8 hereof, the value of a house, board and lodging, fuel, lighting, and other requisites and services shall, unless the Grading Committee fixes a different value, be computed as follows:—

- (a) The value of an unfurnished house or flat shall be computed at the rate of £110 a year;
- (b) The value of fuel and lighting shall be computed at the rate of £40 a year;
- (c) The value of articles of furniture and other non-consumable articles shall be computed at an annual rate representing $7\frac{1}{2}$ per cent of their cost to the Board;
- (d) The value of consumable articles and of services shall be their cost to the Board; and
- (e) The value of board and lodging shall be computed at the inclusive rate of £126 10s. a year.

Hours of Work

10. (1) From Monday to Friday inclusive the hours of work for whole time secretarial or clerical officers shall be not more than eight on any one day, inclusive of ten minutes for morning tea and ten minutes for afternoon tea.

(2) From Monday to Friday inclusive a break of one hour for a meal between the hours of 12 noon and 2 p.m. shall be allowed on each day, but any such break shall not count as hours of work for the purposes of the next succeeding regulation.

(3) The normal weekly hours of work shall be forty.

(4) Notwithstanding the foregoing provisions of this regulation, time may be worked between 8 a.m. and noon on Saturday, provided always that not more than forty hours are worked at ordinary rates of pay in any one week.

Overtime

11. (1) Where a whole time secretarial or clerical officer other than a Secretary is required to work more than eight hours a day or an aggregate of more than forty hours in any week the excess time shall be deemed to be overtime and shall be subject to payment—

- (a) For work which is exclusive of work performed on Saturdays, Sundays, and the public holidays, or substituted succeeding days, where applicable, prescribed in subclause (5) of regulation 12 hereof, at one and a half times the hourly rate of pay for the first three hours on any one day and thereafter on any day on which he has already worked three hours overtime at double the hourly rate of pay, with a maximum rate of 11s. 6d. an hour:

- (b) For work performed on Saturday mornings, at one and a half times the hourly rate of pay, with a maximum rate of 11s. 6d. an hour :
- (c) For work performed on Saturday afternoons, Sundays, and the public holidays, or substituted succeeding days, where applicable, prescribed in subclause (5) of regulation 12 hereof at double the hourly rate of pay, with a maximum rate of 11s. 6d. an hour :

Provided that the total overtime payment in respect of any year plus the salary for that year shall not exceed £820 :

Provided further that no whole time secretarial or clerical officer shall be entitled to payment for overtime unless the payment has received the prior approval of the Secretary or of such other officer as the Board shall designate for that purpose.

(2) For the purposes of this regulation the hourly rate of pay shall be a two thousand and eightieth part of the yearly rate of salary payable for the time being in accordance with the foregoing provisions of these regulations, and in the final calculation of the rate of payment for overtime a fraction of less than a halfpenny is to be reckoned at the halfpenny above, and a fraction of more than a halfpenny at the penny above.

Annual Leave and Holiday Leave

12. (1) Whole time secretarial or clerical officers shall be granted twenty-one days' leave of absence on full pay for recreational purposes in respect of each year of employment.

(2) The number of days stated in the last preceding subclause is to be reckoned in consecutive days' leave (including Saturdays and Sundays, but excluding any of the public holidays, or substituted succeeding days, where applicable, prescribed in subclause (5) of this regulation, that may fall during a period of leave).

(3) A Board may permit annual leave to be taken in two periods.

(4) When the employment of a whole time secretarial or clerical officer ceases, he shall be paid salary instead of being granted leave in respect of any annual leave or portion of annual leave accrued due to him.

(5) In addition to annual leave granted in accordance with this regulation, each whole time secretarial or clerical officer shall be allowed leave on full pay on the following public holidays—namely, Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Sovereign's Birthday, Labour Day, and the holiday observed in the locality concerned as Anniversary Day :

Provided that when any of the above named public holidays that can fall on a Saturday or a Sunday so falls, the next succeeding day (other than a Sunday) which is not one of the said public holidays or observed as a substituted holiday under this proviso shall be allowed :

Provided further that any whole time secretarial or clerical officer may be required to work on any of the above named public holidays or substituted succeeding days, where applicable, if he is paid overtime in accordance with the provisions of regulation 11 hereof, or, if he is not entitled to any such payment, is allowed an equivalent holiday on a later day convenient to the Board.

Sick Leave

13. (1) Where a whole time secretarial or clerical officer is granted leave of absence on account of sickness or injury not arising out of and in the course of his employment (hereinafter referred to as sick leave), he shall be entitled to full pay according to the scale prescribed in the Schedule set out in subclause (6) of this regulation.

(2) The length of service for the purposes of the Schedule means the aggregate period of service, whether continuous or intermittent, in the employ of a Board, a separate institution, or the Crown, or of two or more of such employers.

(3) The total period of sick leave with full pay set out in the Schedule may consist of one or more periods. Sick leave with full pay for each period allowed is to be reckoned in consecutive days (including Saturdays, Sundays, and the public holidays, or substituted succeeding days, where applicable, that may fall during a period of sick leave).

(4) The total period of sick leave with full pay to which a whole time secretarial or clerical officer is entitled as set out in the Schedule shall be computed in respect of his whole length of service.

(5) Where in the opinion of a Board a whole time secretarial or clerical officer in its employ is incapacitated by sickness or injury arising out of and in the course of his employment, it shall be permissible for the Board to continue to pay his full salary during incapacity :

Provided that the prior written approval of the Director-General shall be obtained for any such payment beyond a period of three months :

Provided further that the period in respect of which salary is paid in accordance with the provisions of this subclause shall not be regarded as sick leave with pay for the purposes of the foregoing provisions of this regulation.

(6) The Schedule referred to in subclause (1) of this regulation is as follows :—

SCHEDULE

Length of Service.	Total Period of Sick Leave With Full Pay During Whole Length of Service.
Up to three months' service ..	7 days.
Over three months' and up to six months' service	14 days, inclusive of days previously allowed.
Over six months' and up to nine months' service	31 days, inclusive of days previously allowed.
Over nine months' and up to five years' service	46 days, inclusive of days previously allowed.
Over five years' and up to ten years' service	92 days, inclusive of days previously allowed.
Over ten years' and up to twenty years' service	183 days, inclusive of days previously allowed.
Over twenty years' and up to thirty years' service	275 days, inclusive of days previously allowed.
Over thirty years' service ..	365 days, inclusive of days previously allowed.

Transport

14. Where a whole time secretarial or clerical officer is required to use his own motor car for the purposes of his work, the Board may pay him a mileage allowance or, in lieu thereof, a commuted allowance, in either case at a rate and subject to conditions approved by the Director-General.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[This note is not part of the regulations, but is intended to indicate their general effect.]

These regulations prescribe the scales of salary and allowances and conditions of employment for secretarial and clerical workers employed by Hospital Boards. They form part of the Hospital Employment Regulations 1952, which provide for other matters relating generally to the salaries, allowances, and conditions of employment of all classes of Hospital Board employees.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 8 May 1952.

These regulations are administered in the Department of Health.

(H.-Hosp. 73.)